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First Named Applicant: Cervantes)	Art Unit: 2624
)	
Serial No.: 10/758,662)	Examiner: Daley
)	
Filed: January 15, 2004)	HSJ920030236US1
)	
For: SELF-CONTAINED OCR SYSTEM USING HARD)	September 8, 2008
DISK DRIVE)	750 B STREET, Suite 3120
)	San Diego, CA 92101
)	

REPLY BRIEF

Commissioner of Patents and Trademarks

Dear Sir:

This Reply Brief responds to the Examiner's Answer dated September 3, 2008.

The Answer presents two arguments not already dealt with in the Appeal Brief. Beginning at the last line of page 5 the Answer makes a comment of unknown import and in any case incorrect technical understanding when he alleges that the limitation in Claim 1 of "without the need for a user command, the system not having a user input device" is supported in a part of the specification that teaches user input devices. First, no Section 112 rejection is at issue, so comments about "support in the specification" appear to be legally misdirected. Second, the last line of page 4 of the present specification continuing to the first line of page 5 clearly states that no input device need be provided.

The second new argument propounded in the Answer in the first full paragraph of page 6 is that Mangerson's "medium" is not a storage medium but rather the thing being scanned. This red herring has utterly no worth as rebuttal to Appellant's point, which is that the prompt in Mangerson is caused by

1189-18.RPL

CASE NO.: HSI920030236US1

Serial No.: 10/758,662

September 8, 2008

Page 2

PATENT

Filed: January 15, 2004

deactivation of the scanner in response to a determination that the "storage" medium has been removed and that therefore this teaching in no way rises to a suggestion that the remainder of Mangerson's operation, which depends on receiving user input, can for some reason survive without a user input device. The modifier "storage" before the subject "medium" in the Appeal Brief thus has no bearing on the gravamen of Appellant's incisive analysis of the defects of the rejection. The point is that the prompt in Mangerson happens upon deactivation when some object that is immaterial to Appellant's point is removed from Mangerson's device, and that this is no reason to lead to the erroneous conclusion that the remainder of Mangerson's operation can survive without a user input device.

Respectfully submitted,



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